

July 10, 2008

TO: City of Lincoln Personnel Board Members

SUBJECT: Personnel Board Meeting
Thursday, July 17, 2008
1:30 p.m., Council Chambers
County-City Building

A G E N D A

- ITEM 1: Request to amend Section 2.76.153 of the Lincoln Municipal Code — Compensation Plan; Merit Pay Plan; Shift Differential.
- ITEM 2: Request to amend Section 2.76.370 of the Lincoln Municipal Code — Authorized Holidays.
- ITEM 3: Request to amend Section 2.76.380 of the Lincoln Municipal Code — Sick Leave with Pay.
- ITEM 4: Request to amend Section 2.76.395 of the Lincoln Municipal Code — Vacation Leave with Pay.
- ITEM 5: Miscellaneous Discussion.

PC: Joan Ross, City Clerk

2.76.153 Compensation Plan; Merit Pay Plan; Shift Differential.

Probationary and regular employees in pay ranges prefixed by "N" or "X" who are regularly assigned to second and third shifts shall be paid an additional twenty cents per hour for second shift and thirty cents per hour for third shift. The differential pay per hour shall be included as an addition to their current hourly rate. To be entitled to second shift differential pay, an employee must work a majority of his regularly scheduled shift hours between 5:00 p.m. and 11:59 p.m. To be entitled to third shift differential pay, an employee must work a majority of his regularly scheduled shift hours between 11:59 p.m. and 9:00 a.m. Current hourly rate shall mean the hourly rate of pay which is applicable to the employee's regularly assigned job classification; provided, however, that if an employee is entitled to out-of-class pay, the employee's current hourly rate shall be the applicable out-of-class hourly rate of pay.

Probationary and regular employees in pay ranges prefixed by "C" who are regularly assigned to second and third shifts shall be paid an additional ~~forty~~ forty-five cents per hour for second shift and ~~forty-five~~ fifty cents per hour for third shift. The differential pay per hour shall be included as an addition to their current hourly rate. To be entitled to second shift differential pay, an employee must work a majority of his regularly scheduled shift hours between 5:00 p.m. and 11:59 p.m. To be entitled to third shift differential pay, an employee must work a majority of his regularly scheduled shift hours between 11:59 p.m. and 9:00 a.m.

Employees who are entitled to shift differential pay shall also receive the shift differential pay in addition to their current hourly rate for paid leaves of absence such as vacation, sick leave, holiday pay, and funeral leave. For the purpose of computing overtime pay, an employee's "regular hourly rate", as defined by the Fair Labor Standards Act, shall include the additional twenty, thirty, ~~forty or forty-five,~~ or fifty cents per hour shift differential.

2.76.370 Authorized Holidays.

(a) The following and, in addition, any other days that may be designated by the Mayor are paid holidays for probationary and regular employees not represented by a bargaining unit: New Year's Day, Martin Luther King Jr's Birthday, Presidents Day, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, day after Thanksgiving, and Christmas Day. In addition, eligible employees will be entitled to the two noncumulative personal holidays each payroll fiscal year. These holidays may be taken at any time during the payroll fiscal year, provided the days selected by the employees have the prior approval of the appointing authority.

(b) Part-time employees shall earn personal holidays on a prorated schedule based upon the average hours earned per work week.

(c) Personal holiday hours may be taken in any increment of not less than two hour blocks for those employees with a pay range prefixed by "A", "C", "E", "M", "N" or "X".

(d) Whenever a holiday falls on a Sunday, the following Monday shall be considered a holiday; whenever a holiday falls on a Saturday, the preceding Friday shall be considered a holiday. Holidays which occur during a vacation, sick, funeral, or injury leave shall not be charged against that leave.

2.76.380 Sick Leave with Pay.

Subsections (a) through ~~(g)~~ (h) shall apply to employees not represented by a bargaining unit.

(a) Amount. Sick leave shall be earned by each employee at the factored hourly equivalent of eight hours for each full month of service or twelve hours for each full month of service for an employee with a pay range prefixed by "M" who works a fifty-six hour work week. Earnings shall be computed only for those hours when an eligible employee is in a pay status, excluding overtime.

(b) When taken. Sick leave will be paid only when an employee is unable to perform work duties due to actual personal illness, noncompensable bodily injury, pregnancy, or disease, exposure to contagious disease under circumstances in which the health of other employees or the public would be endangered by attendance on duty, or to keep a medical or dental appointment and for no other reason. A sick leave pay account will be established and funds appropriated for that reason only. Sick leave with pay is intended to be paid on account of sickness rather than a continuation of salary.

Sick leave must be earned before it can be granted, and advancing sick leave is prohibited. An employee may utilize no more than his accrued balance of sick leave. When an employee finds it necessary to be absent for any of the reasons specified herein, the employee shall cause the facts to be reported to his department head in accordance with departmental rules and regulations.

Sick leave shall be earned, but not be granted, during the probationary period occurring after original appointment. An employee must keep his department head informed of his condition. This shall be on a daily basis unless waived by the department head or designated representative. An employee may be required by the Personnel Director to submit a medical certificate for any absence. Failure to fulfill these requirements may result in denial of sick leave. No refund of vacation time shall be allowed due to illness incurred while on vacation leave. Sick leave shall not accrue during any period of leave of absence without pay.

(c) Accumulated sick leave. The accumulation of unused sick leave is unlimited.

(d) Unused sick leave. Upon retirement, death or reduction in force, an employee with a pay range prefixed by "E" or "M", or the employee's beneficiary, shall be paid one-half of his accumulated sick leave. The rate of payment shall be based upon the employee's regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee's death.

Upon retirement, death or reduction in force, an employee with a pay range prefixed by "N" or "X", or the employee's beneficiary, shall be paid one-third of his accumulated sick leave. The rate of payment shall be based upon the employee's regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee's death.

Upon retirement, death or reduction in force, an employee with a pay range prefixed by "A" or "C", or the employee's beneficiary, shall be paid one-half of his accumulated sick leave. The rate of payment shall be based upon the employee's regular hourly rate of pay at the time the employee retires, is laid off, or at the time of the employee's death.

(e) An employee with a pay range prefixed by "A", or "C" may be granted time off for a maximum of ~~sixty-eight~~ sixty-eight hours in each calendar year for illness in the employee's immediate family. Immediate family will also include any other family member, whether it be by blood, marriage, legal adoption, or foster children, residing in the household. Family sick leave may also be granted to an employee who has been appointed by a court of competent jurisdiction as legal guardian of any person, with proper documentation. Such time off will be deducted from the employee's accumulated sick leave. Upon written request from an employee in the above-

referenced pay ranges, the Personnel Director may waive the ~~sixty-eighty~~ hour limit after reviewing the individual circumstances in support of the request.

(f) An employee with a pay range prefixed by "N" or "X" may be granted time off for a maximum of forty hours in each calendar year for illness in the employee's immediate family. For purposes of this subsection (f), the term immediate family shall include the employee's mother, father, sister, brother, husband, wife, child, foster child, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepmother, stepfather, stepchild, stepgrandchild, grandparent, grandchild, and the grandparent of the employee's spouse, or any other relative residing in the household. Family sick leave may also be granted to an employee who has been appointed by a court of competent jurisdiction as legal guardian of any person, with proper documentation. Such time off will be deducted from the employee's accumulated sick leave. Upon written request from an employee in the above-referenced pay ranges, the Personnel Director may waive the forty hour limit after reviewing the individual circumstances in support of the request.

(g) An employee with a pay range prefixed by "E" ~~or "M"~~ may be granted time off for a maximum of ~~sixty-eighty~~ hours in each calendar year for illness in the employee's immediate family. For purposes of this subsection (g), the term immediate family shall include the employee's mother, father, sister, brother, husband, wife, child, foster child, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepmother, stepfather, stepchild, stepgrandchild, grandparent, grandchild, and the grandparent of the employee's spouse. Immediate family will also include any other family member, whether it be by blood, marriage, legal adoption, or foster children, residing in the household. Family sick leave may also be granted to an employee who has been appointed by a court of competent jurisdiction as legal guardian of any person, with proper documentation. Such time off will be deducted from the employee's accumulated sick leave. Upon written request from an employee in the above-referenced pay ranges, the Personnel Director may waive the ~~sixty-eighty~~ hour limit after reviewing the individual circumstances in support of the request.

(h) An employee with a pay range prefixed by "M" may be granted time off for a maximum of sixty hours in each calendar year for illness in the employee's immediate family. For purposes of this subsection (h), the term immediate family shall include the employee's mother, father, sister, brother, husband, wife, child, foster child, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepmother, stepfather, stepchild, stepgrandchild, grandparent, grandchild, and the grandparent of the employee's spouse. Immediate family will also include any other family member, whether it be by blood, marriage, legal adoption, or foster children, residing in the household. Family sick leave may also be granted to an employee who has been appointed by a court of competent jurisdiction as legal guardian of any person, with proper documentation. Such time off will be deducted from the employee's accumulated sick leave. Upon written request from an employee in the above-referenced pay ranges, the Personnel Director may waive the sixty hour limit after reviewing the individual circumstances in support of the request.

2.76.395 Vacation Leave with Pay.

(a) Amount. Each employee with a pay range prefixed by "E" shall earn vacation leave credit annually as follows:

After original appointment -- at the factored hourly equivalent of 88 hours per year.

After five years of service -- at the factored hourly equivalent of 120 hours per year.

After ten years of service -- at the factored hourly equivalent of 136 hours per year.

After fifteen years of service -- at the factored hourly equivalent of ~~160~~ 168 hours per year.

After twenty years of service -- at the factored hourly equivalent of ~~192~~ 195 hours per year.

After twenty-five years of service -- at the factored hourly equivalent of 200 hours per year.

Each employee with a pay range prefixed by "N" or "X" shall earn vacation leave credit annually as follows:

After original appointment -- at the factored hourly equivalent of 80 hours per year.

After five years of service -- at the factored hourly equivalent of 112 hours per year.

After ten years of service -- at the factored hourly equivalent of 128 hours per year.

After fifteen years of service -- at the factored hourly equivalent of 160 hours per year.

After twenty years of service -- at the factored hourly equivalent of 184 hours per year.

After twenty-five years of service -- at the factored hourly equivalent of 192 hours per year.

The department head may require that vacation leave be taken not less than one day at a time. Vacation leave credit shall not accrue during a leave of absence without pay.

(b) Vacation leave shall not be granted during the first six months of employment. Each department head shall keep records on vacation leave credit and use and shall schedule vacation leave with particular regard to the seniority of employees, to accord with operating requirements, and insofar as possible, with requests of employees.

(c) Accumulated leave. An employee may accumulate vacation leave to a maximum of forty hours over and above the employee's maximum annual earning rate, for employees with a pay range prefixed by 'E'. An employee may accumulate vacation leave to a maximum of eighty hours over and above the employee's maximum annual earning rate for employees with a pay range prefixed by 'X'.

(d) Vacation payout. Any employee who separates from the city service shall be compensated for vacation leave accrued and accumulated to the date of separation. The vacation payout shall occur with the paycheck immediately following separation. In the event the separation is the result of retirement, as defined by the applicable retirement plan, an employee may elect to utilize vacation until all accrued vacation has been exhausted.

(e) Waiving vacation. For the purpose of maintaining necessary personnel on duty to

accomplish city work, a department head, with approval of the Mayor, may waive accumulated vacation leave in excess of eighty hours. Waived vacation will be paid to the employee at the employee's usual rate of pay as of the last January 1, provided there are sufficient funds in the department's budget for salaries.

(f) Vacation bank payout. For employees maintaining a vacation bank, excluding ranges prefixed by "B" or "F", the employee may request to sell all or part of their bank at the first full pay period in July each year. Such request for payment shall be made in writing and approved by the employee's department head and the Mayor, provided there are sufficient funds in the department's budget for salaries. Payment for requested hours will be paid at the employee's usual rate of pay as of the last January 1.